TL6614

Conversation with Princen, 11.30 London time, 5.30 Jakarta time, 1 July 1993:

He said: "The three are going to leave the embassy this morning."

I said: Lopez da Cruz has said in an interview with LUSA that the boys will go to his house or to a Catholic church.

He said: Dont believe what Lopez da Cruz says. Also, if Lopez says to them, 'you are coming home with me', I am sure they will refuse to leave.

The document that has been agreed (he recounted the points from memory as he didn't have a copy at home) will be signed by Gen HP, Lopez da Cruz, Princen, Anders Stohr for the embassy, and the three boys. It says:

1. We are leaving the embassy of our own free will.
2. They will not be persecuted, interrogated or harmed in any way, either (a) because of their stay in the embassy, or (b) for their past activities.

If the three deem it necessary, they can report any problems to the Swedish ambassador or to Princen.

The agreement says nothing about leaving Indonesia. On this Princen said: immediately after they come out of the embassy, he will apply to the ICRC to arrange for them to leave. Pierre Pont who left Indonesia Wednesday, having finished his tour of duty there, said this could be done under the 'family reunion programme' and he will take the matter up as soon as he arrives in Geneva.

Princen says, please make contact with Pierre Pont in Geneva to make sure this is started quickly. Pont's replacement in Jakarta is not due to arrive till July 15 - it would help if she/he could come sooner. He believes someone from the ICRC will also be at the embassy.

I said, according to ICRC procedures, Indonesia's approval is needed to allow it to issue documents for Timorese to leave. Princen said he would tackle this with MajGen Hendro Priyono. His impression is that the general will agree to let them go.

When I urged him not gogo ahead with this, he said the three had made up their minds and it was not for him to persuade them otherwise, though he agreed to tell them this is what we think outside. I stressed that efforts are being made round the world, including at the UN HQ to prevent this, and he said: OK. He said however that a change could happen at the last minute, especially if Lopez wants to take them to his place.

When I again reminded him of the dangers of this arrangement, he said, 'they will be harmed over my dead body', adding that 'they will be safer at my house than in the embassy'. When I said his

house doesn't have diplomatic immunity, he again said they would be safer in his house, and repeated this several times. 'I will protect them together with a Dutch priest.'

He insisted that under the present circumstances, this is what will happen though again he said things could change. He said that it is impossible for them to remain at the embassy any longer. When I asked why the boys had changed their minds, having said they would not sign any agreement, he had no explanation, though he thought that the agreement was 'a good one', better than could have been expected.

Princen also said he intends to go to the home of Lopez to see the other four (it's right over the other side of town). So, I said, how are the three protected when you are not there? He had no explanation. I said I had no confidence that his physical presence could protect them if the army decides to move.

He ended saying, call me around 10am (Jakarta time) at the embassy or at home.

[I had some hours earlier contacted Hendardi of the LBH who agreed to try and support Princen and prevent this all from happening.]

When I told Princen I had phoned Hendardi, he said he was handling this as a 'lone fighter' though would not object if others want to help.

[Since my first few calls to Hendardi, I have not been able to get through to him on his home number.]

Carmel

Efforts by Tamrat Samuel at UN HQ:

He said a senior advisor to the SecGen will try to speak to the Indonesian ambassador to the UN in the next few hours. He will urge the Indonesians 'to be more flexible', apparently including allowed the Timorese to leave the country - seeing this as one of the 'confidence-building measures'. He also says that the UNHCR in New York claims that they might try facilitate something, if they were asked to do so by one of the governments. They have not yet received such a request.

[As reported from New York by Allan Nairn at around 10pm London time]

Report: 5.30am, London time 2 July 1993:

I have just spoken to Princen and Florencio at Princen's home. I spoke first to Princen who stressed: 'All our arguments are based on the willingness of the ICRC to help, so please do everything possible to contact the ICRC/Pierre Pont in Geneva.' He said there were many press people and intel at the embassy when they left. At his home there had been press people from the Indonesian press.

He then handed the phone over to Florencio Fernandes who told me that, of course, they were not feeling pleased at the outcome, but he sounded as if he was reasonably good spirits. He thanked everyone outside for everything that had been done. He then read out the Indonesian text of the agreement reached at the Swedish embassy which reads as follows (the text will be faxed shortly):

Statement, Jakarta 2 July 1993:

In a meeting attended by Military Commander of Jakarta Major-General Hendro Priyono, Special Ambassador Lopes da Cruz, J.C. Princen, the mediator, Anders Stohr, Swedish charge d'affaires and Florencio A. Fernandes, Jose Manuel de Oliveira Sousa and Proforio da Costa Oliveira from East Timor, the following agreement was reached:

1. The three signatories from East Timor are leaving the Swedish embassy of their own free will.

2. The Indonesian government, represented by Major-General Hendro Priyono and Mr Lopez da Cruz, will not lay charges, interrogate, carry out any intimidation, arrests or other such actions in relation to matters connected with

a. their stay at the Swedish embassy,
b. their activities in the past excepting such criminal activities as theft or assault as defined in the Criminal Code (KUHP).

3. The above mentioned people from East Timor are absolutely free to make contact with Mr Princen or the Swedish embassy at any time they wish regarding matters connected with this agreement.

[This translation is subject to correction when the text in English and Indonesian is received in writing.]

Florencio then said that they had decided to take this step and leave the embassy on the basis of an undertaking from Princen that the ICRC would be contacted and had said that they would assist them. Lopes da Cruz also said this. He said they had received the fax from friends (in Australia?) but had nevertheless decided to leave the embassy.

He then said that I should phone again later in the evening as there were many 'intel' and ABRI around.